

AMENDED IN ASSEMBLY MAY 19, 1999  
AMENDED IN ASSEMBLY APRIL 29, 1999  
AMENDED IN ASSEMBLY APRIL 26, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1187**

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**Introduced by Assembly Members Rod Pacheco and Dutra**

February 26, 1999

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An act to add Sections 17070.16 and 59301 to the Education Code, relating to the state special schools, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1187, as amended, Rod Pacheco. State special schools.

Existing law provides that the California School for the Deaf, the California School for the Blind, and the diagnostic centers are part of the public school system but derive no revenue from the State School Fund. Existing law requires the district of residence of the parent or guardian of any pupil attending either the California School for the Deaf ~~and~~ or the California School for the Blind to pay the school of attendance for each pupil an amount equal to 10% of the excess annual cost of education of pupils attending those schools.

This bill would, notwithstanding any other provision of law, deem the state special schools to be school districts for purposes of the Leroy F. Greene School Facilities Act of 1998 and make the state special schools eligible for funding pursuant to that act. By expanding the purposes for which

moneys in the continuously appropriated 1998 State School Facilities Fund could be expended this bill would make an appropriation.

~~The funds appropriated by this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.~~

This bill would require the Superintendent of Public Instruction, on or before October 1 of each fiscal year in which school districts receive a cost-of-living adjustment, to calculate an inflation adjustment for the state special schools and diagnostic centers. In each of those fiscal years, the bill would appropriate from the General Fund to the Superintendent of Public Instruction the amount of that cost-of-living adjustment and would require the Superintendent of Public Instruction to allocate to the state special schools and diagnostic centers, by October 15 of those fiscal years, the amount appropriated pursuant to the bill. The bill would require these funds to be expended on deferred maintenance. *The funds appropriated by this provision of the bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.*

The bill would require the Department of Personnel Administration to perform a classification study of the employment positions at the state special schools by March 1, 2000, and to submit the study to the Governor and Legislature upon its completion.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 17070.16 is added to the
- 2 Education Code, to read:
- 3 17070.16. Notwithstanding any other provision of law,
- 4 the state special schools are deemed to be school districts
- 5 for purposes of this chapter and are eligible for funding
- 6 pursuant to this chapter.



1 SEC. 2. Section 59301 is added to the Education Code,  
2 to read:

3 59301. (a) On or before October 1 of each fiscal year  
4 in which school districts receive a cost-of-living  
5 adjustment, the Superintendent of Public Instruction  
6 shall calculate an inflation adjustment for the state special  
7 schools and diagnostic centers as follows:

8 (1) Identify the amount of the appropriation made for  
9 the current fiscal year in the annual Budget Act for the  
10 state special schools and diagnostic centers.

11 (2) Apply to that amount identified in paragraph (1)  
12 the cost-of-living adjustment received by school districts  
13 for that fiscal year pursuant to Section 42238.1 or any  
14 other provision of law applicable in that fiscal year in lieu  
15 of that section.

16 (3) The amount resulting from the calculation made  
17 pursuant to this subdivision is the amount of the inflation  
18 adjustment for state special schools and diagnostic  
19 centers for the applicable fiscal year.

20 (b) There is hereby appropriated from the General  
21 Fund to the Superintendent of Public Instruction, *in* each  
22 fiscal year in which school districts receive a cost-of-living  
23 adjustment, the amount of the inflation adjustment  
24 calculated pursuant to subdivision (a) for allocation to the  
25 state special schools and diagnostic centers pursuant to  
26 subdivision (c).

27 (c) By October 15 of each year in which an  
28 appropriation is made pursuant to subdivision (b), the  
29 Superintendent of Public Instruction shall allocate to the  
30 state special schools and diagnostic centers the amount  
31 appropriated pursuant to subdivision (b).

32 (d) The funds allocated pursuant to subdivision (c)  
33 shall be expended on deferred maintenance and may not  
34 be expended for any other purpose.

35 SEC. 3. By March 1, 2000, the Department of  
36 Personnel Administration shall perform a classification  
37 study of the employment positions at the state special  
38 schools. The study shall compare these positions and  
39 salaries with the positions and salaries of school district  
40 employees and focus on the additional education needed

1 to perform the services required at the state special  
2 schools. The Department of Personnel Administration  
3 shall submit the study to the Governor and Legislature  
4 upon its completion.

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